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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,496	02/05/2002	Shunpei Yamazaki	07977-301001	1207

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EXAMINER

GARY, ERIKA A

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 11/05/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/072,496

Applicant(s)

YAMAZAKI ET AL.

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2</u> .                                                                   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because figure 1F shows two "center line B" instead of a "center line A" and a "center line B". Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, and 8-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoon, US Patent Number 6,697,083 (hereinafter Yoon).

Regarding claim 1, Yoon discloses an electronic device comprising: a first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein a first center line of the first housing and a second center line of the second housing are in parallel with each other only in a state where the first housing and the second housing are folded via the hinge [figs. 1, 2; col. 2: lines 51-61].

Regarding claim 2, Yoon discloses a first surface of the first housing and a second surface of the second housing oppose each other [fig. 2].

Regarding claim 3, Yoon discloses one of the first and second housings includes a transmitting unit while the other of the first and second housings includes a receiving unit [fig 2: refs. 40, 60].

Regarding claim 4, Yoon discloses one of the first and second housing includes a display unit while the other of the first and second housing includes an operation key [fig. 2: refs. 30, 50].

Regarding claim 5, Yoon discloses the first and second housing are connected in a direction selected from the group consisting of a vertical direction and a lateral direction [fig. 2].

Regarding claim 6, Yoon discloses a symbol displayed on the display unit is changed according to a direction of the electronic device [fig. 5a; col. 4: lines 27-42].

Regarding claim 8, Yoon discloses the display unit includes one selected from the group consisting of a liquid crystal display device and a light emitting device [col. 2: lines 53-54].

Regarding claim 9, Yoon discloses a symbol including at least one selected from the group consisting of a letter, a character, an alphabet, a numeral and a pictograph is displayed on the display unit [fig. 5a].

Regarding claim 10, Yoon discloses a picture is displayed on the display unit [fig. 5a].

Regarding claim 11, Yoon discloses a photoelectric conversion element is formed in the one selected from the group consisting of a liquid crystal display device and the light emitting device [col. 2: lines 53-54].

Regarding claims 12-14, Yoon discloses the electronic device is an information terminal, cellular phone, or a PDA [col. 2: lines 51-52].

Regarding claim 15, Yoon discloses an electronic device comprising: first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein each of the first and second housings has a pair of lines opposing each other, wherein one of the pair of lines has a shorter length than the other one of the pair of lines [fig. 1; col. 2: lines 51-61].

Regarding claim 16, Yoon discloses at least one of the first and second housing includes a display unit, wherein the display unit includes one selected from the group

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consisting of a liquid crystal display device and a light emitting device [fig. 2: ref. 30; col. 2: lines 53-54].

Regarding claim 17, Yoon discloses a photoelectric conversion element is formed in the one selected from the group consisting of a liquid crystal display device and the light emitting device [col. 2: lines 53-54].

Regarding claims 18-20, Yoon discloses the electronic device is an information terminal, cellular phone, or a PDA [col. 2: lines 51-52].

4. Claims 15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wicks et al., US Design Patent Number D406,587 (hereinafter Wicks).

Regarding claim 15, Wicks discloses an electronic device comprising: first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein each of the first and second housings has a pair of lines opposing each other, wherein one of the pair of lines has a shorter length than the other one of the pair of lines [fig. 7].

Regarding claim 19, Wicks discloses the electronic device is a cellular phone [see claim].

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoon.

Regarding claim 7, the Examiner takes Official Notice that it is well known in the art for an operation key to include a translucent button with a display portion formed under the translucent button. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include this feature for ease of use for the user in operating the electronic device.

7. Claims 21-26 are rejected under 35 U.S.C. 103(a) as being anticipated by Batio, US Patent Number 6,081,207 (hereinafter Batio).

Regarding claim 21, Batio discloses an electronic device comprising: a first housing; a second housing; a hinge, wherein the first and second housings are coupled together by the hinge, wherein each of the first and second housings has a non-rectangular shape. The first and second housings are not specifically a trapezoid shape, but that of a polygon. However, Batio still teaches a non-traditional, non-rectangular shape for the two housings. At the time of the invention, it would have been obvious to one of ordinary skill in the art to make the two housings in a trapezoid shape as Batio discloses in essence that each housing comprises only one pair of parallel lines.

Regarding claim 22, Batio discloses wherein at least one of the first and second housing includes a display unit, wherein the display unit includes one selected from the

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group consisting of a liquid crystal display device and a light emitting device [fig. 12; col. 8: line 17].

Regarding claim 23, Batio discloses a photoelectric conversion element is formed in the one selected from the group consisting of a liquid crystal display device and the light emitting device [col. 8: line 17].

Regarding claim 24, Batio discloses the electronic device is an information terminal [col. 2: lines 16-17].

Regarding claims 25 and 26, Batio teaches that the electronic device can be a self-contained portable computer. The Examiner takes Official Notice that it would be obvious that the electronic device can be a cellular phone or pda as the device has an antenna for wireless capability.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 703-308-0123. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG  
November 2, 2004

  
ERIKA A. GARY  
PRIMARY EXAMINER